

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation of the Commission's own Motion into the Operations and Practices of Ponderosa Sky Ranch Water Company and its Owner and Operator, Orville Figgs, and Order to Show Cause Why Findings Should Not Be Entered by the Commission under Pub. Util. Code § 855.

Investigation 02-03-023
(Filed March 21, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING HEARING ON ORDER TO SHOW CAUSE**

Pursuant to Ordering Paragraph (OP) 6 of the Order Instituting Rulemaking (OIR) in this proceeding and OP 2 of the Order Amending Investigation (I) 02-03-023, which orders were served on respondents on April 4, 11, and 15, 2002, this ruling sets a hearing on Thursday, May 2, 2002, at which time respondents may show cause why the Commission should not institute proceedings in the Superior Court of Tehama County, pursuant to § 855 of the Pub. Util. Code, for the appointment of a receiver to assume possession of respondent Ponderosa Sky Ranch Water Company (Ponderosa) and to operate its system on such terms and conditions as the court may prescribe.

The hearing on May 2, 2002 will begin at 9 a.m. in the Conference Room of the Tehama Bank, 333 Main Street, Red Bluff, California 96080. At the hearing, respondents may offer evidence why the Commission should not make findings, pursuant to Pub. Util. Code § 855, that Ponderosa is either (i) unable or unwilling to serve its ratepayers adequately, (ii) has actually or effectively been abandoned by its owners, or (iii) is unresponsive to the rules or orders of the Commission.

Any respondent may serve a written response to the OIR on or before 3 p.m. on Friday, April 26, 2002.

If a respondent chooses to submit a response, a copy must be sent by facsimile machine to the undersigned at (415) 703-1723, no later than 3 p.m. on April 26. In addition, copies of any response shall be served by prepaid, first class United States mail on the undersigned, as well as on Monique M. Steele, Esq., counsel for the Commission, and Mr. Donald McCrae of the Commission's Water Division. Ms. Steele, Mr. McCrae, and the undersigned all have their offices at the Commission's headquarters at 505 Van Ness Avenue, San Francisco, California 94102. An original and seven copies of the response must also be filed with the Docket Office no later than 5 p.m. on Monday, April 29, 2002.

Pursuant to the discussion set forth above, **IT IS RULED** that:

1. A hearing concerning the matters set forth above shall be held on Thursday, May 2, 2002, beginning at 9 a.m. in the Conference Room of the Tehama Bank, 333 Main Street, Red Bluff, California 96080.

2. At said hearing, respondents may present evidence why the Commission should not make findings that Ponderosa Sky Ranch Water Company is (i) unable or unwilling to serve its ratepayers adequately, (ii) has actually or effectively been abandoned by its owners, and/or (iii) is unresponsive to the rules or orders of the Commission.

3. Any respondent may serve a written response to the Order Instituting Rulemaking no later than 3 p.m. on Friday, April 26, 2002, in the manner set forth above, and shall file it no later than Monday, April 29, 2002.

Dated April 19, 2002, at San Francisco, California.

/s/ A. KIRK McKENZIE

A. Kirk McKenzie
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Hearing on Order to Show Cause on all parties of record in this proceeding or their attorneys of record.

Dated April 19, 2002, at San Francisco, California.

/s/ KRIS KELLER

Kris Keller

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.